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E.O. 12958: DECL: 06/19/2018
TAGS: [PHUM](#) [PREL](#) [TS](#)
SUBJECT: RESPONSE TO THE RECENTLY APPROVED TUNISIA
DEFENDERS FUND CASES

REF: A) 08 TUNIS 599 B) 07 STATE 147166

Classified By: DRL A/SDavid J. Kramer E.O. 12958, Reasons: 1.4(b) and (d)

¶1. (S) SUMMARY: DRL understands Embassy Tunis's concerns with the two Global Human Rights Defenders Fund (&Defenders Fund) cases in Tunisia. We strongly weighed your concerns when we deliberated on these cases, and in paragraph 3, we explain why we decided to approve these cases. DRL also appreciates post's feedback on ways to improve the internal vetting process of the Defenders Fund. End summary.

The Two Tunisia Defenders Fund Cases

¶2. (U) Secretary Rice created the Defenders Fund to provide small, quickly-disbursed grants to meet the short-term emergency needs of democracy and human rights activists who are facing financial hardship as a direct result of government crackdowns in response to their work to defend human rights and democracy.

¶3. (S) Absent derogatory information on individuals, DRL considers individuals and organizations that promote human rights, democracy, and freedom and are at risk from government repression for their human rights efforts to be eligible for the Defenders Fund. As noted in your cable Tunis 599, both Tunisia Defenders Fund candidates are known human rights activists who have been targeted and harassed by the government of Tunisia for their human rights efforts.

-- The Defenders Fund assistance to Ali Ben Salem responds to current difficulties that are a direct result of government repression. The Defenders Fund is covering medical expenses to treat his chronic injuries, including a heart condition, which he sustained while he was tortured in prison for eleven years, and a short-term cost of living grant since the government stripped him of his pension.

-- While there is debate about the legitimacy of the criminal charges against Slim Boukhdhir, there is agreement that he has been harassed by the government for his human rights work.

¶4. (S) DRL recognizes that there may be other human rights defenders in Tunisia worthy of Defenders Fund assistance, but every case is reviewed on an individual basis. On its own, both cases meet the Secretary's eligibility criteria. If post believes there are other defenders who should be considered for assistance from the Defenders Fund, then DRL encourages Embassy Tunis to submit their names through the application process, as outlined in 07 STATE 147166. DRL would be happy to work with post on such applications. Funding these two cases does not rule out support for other possible recipients.

Keeping A Low Profile and Implementing Security Measures

¶5. (S) DRL recognizes posts, legitimate concerns about the potential negative repercussions, if Defenders Fund assistance is made public in these cases. From the onset of this grant, both DRL and the implementing NGO, Freedom House, have taken specific steps to maintain a low profile and ensure the safety of the defenders. DRL and Freedom House jointly agreed not to share information about any individual cases with the public. We have also implemented several security measures to minimize the risk of exposure. For example, DRL and Freedom House jointly met with Diplomatic Security at the start of the grant to discuss how information about any case will be discreetly shared with each other. Freedom House also works with a security contractor, who developed several security measures, including a protocol to ensure that discussions with their contacts on any case are done through encrypted and secure channels.

The Importance of Administrating this Grant Through an NGO

¶6. (S) The Defenders Fund is being administered by an NGO rather than directly by the USG to better protect defenders from potential repercussions for receiving USG funding. It could be very risky for a U.S. embassy to disburse Defenders Fund assistance directly to a recipient, particularly in repressive and authoritarian countries, since the USG linkage would be easier to track and potentially dangerous for the recipient. By working through an NGO, the NGO is able to partner with other organizations who are not affiliated with the USG. In most of the Defenders Fund cases, the assistance is passed through several different hands before reaching the intended recipient, thus minimizing the USG stamp on the funds.

¶7. (S) Freedom House was selected as the implementer of the Defenders Fund through an open, competitive process because they have a proven track-record to work successfully in some of the most challenging countries (e.g., Cuba and Uzbekistan) and have a great understanding of democracy and human rights issues around the world (e.g., they publish the annual Freedom in the World report). Freedom House carefully vets each of its intermediaries before working with them on any case. For particularly sensitive cases, DRL works closely with Freedom House to ensure that extra precautions are taken before funds are disbursed.

Vetting Procedure for Each Defenders Fund Case

¶8. (S) Front-channel process: Given the rapid response nature of this project per the Secretary,s instructions, it would be difficult to notify post and vet each case internally in a timely manner if it was conducted through front channel cables. E-mail is the fastest way to notify posts about pending cases. Concerns and decisions made by post and the relevant bureaus are documented to formalize the process and provide an accurate record of the vetting behind each case. Per 07 STATE 147166, post is required to respond within 2 working days.

¶9. (S) Foreign policy considerations: Foreign policy considerations are factored into the decision-making process. DRL wants post to vet each Defenders Fund case because we know that post may have on-the-ground knowledge about the cases, which Washington offices might not know about. In cases where posts have concerns, DRL/FO is willing to discuss the case with senior policy makers to come to an agreement on the decision. However, post should realize that these decisions need to be made in a timely fashion since this is an emergency, rapid response initiative, with final decision-making authority, after proper consultation with posts and bureaus, resting with the DRL Assistant Secretary.

¶10. (U) DRL appreciates Embassy Tunis,s interests and

concerns on making the Defenders Fund the best it can be. We look forward to continue to closely work with your staff to support the Secretary,s initiative to defend the defenders of human rights.

11. (U) Minimized considered.

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